



# Marine Operations Manual – Section 02

## Pilotage Direction No.6

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**Index**

[Associated Documents](#) .....2

[1. PILOTAGE DIRECTION No.6](#).....3

[The area of Compulsory Pilotage](#).....3

[Pilotage shall be Compulsory](#) .....3

[Vessels Exempted from Compulsory Pilotage](#).....3

[All ships subject to Compulsory Pilotage](#) .....3

[This Direction may only be varied](#).....3

[In this Pilotage Direction](#).....4

[This Direction revokes and replaces](#).....4

[Notes](#) .....4

[A. Pilotage Exemption Certificates](#).....4

[B. Voluntary Pilotage](#) .....4

[2. General Requirements for Pilotage Exemption Certificates](#).....4

[2.1 Introduction](#) .....4

[2.2 Geographical Area](#) .....5

[2.3 Eligibility for PEC Application](#) .....5

[2.3.1](#).....5

[2.3.2](#).....5

[2.3.3](#).....5

[2.3.4](#).....5

[2.3.5](#).....5

[3. General](#) .....6

[3.1](#).....6

[3.2](#).....6

[3.3](#).....6

[3.4](#).....6

[4. Fees](#).....6

[5. Application for a PEC](#).....6

[6. Examination for a PEC](#).....7

[6.1 Scope of examination](#) .....7

[6.1.1 General Navigation](#).....7

[6.1.2 Experience and Local Knowledge](#).....7

[6.1.3. Navigation in the Area](#) .....7

[6.2 Conduct of Examination](#) .....8

[7. Condition for Renewal of PEC](#).....8



[7.1](#) ..... 8  
[7.2](#) ..... 8  
[7.3 PEC Annual Renewals – Scheduled Operators](#) ..... 8  
[8.0 Addition of New Vessels to an Existing PEC](#)..... 8  
[9.0 Duties of a PEC Holder](#) ..... 9  
[9.1 Pilotage Incident Reports](#) ..... 9  
[9.2 Duty to Report](#) ..... 9  
[9.3 Duty to Observe Directions](#) ..... 9

**Associated Documents**

- Pilotage Act 1987
- Marine Navigation Act 2013
- Dover Harbour Consolidation Act 1954 to 2006
- Port of Dover General Directions (MOM Section 01)
- Pilotage Enforcement Policy (MOM Section 03)
- Pilotage Incident Report Form (MF11)

**1. PILOTAGE DIRECTION No.6**

Pursuant to the duty placed upon it, the Dover Harbour Board, as Competent Harbour Authority for the Port of Dover, has considered the relevant circumstances and decided that pilotage should be compulsory in the area defined below, and therefore in accordance with Section 7 of the Pilotage Act 1987, hereby directs that on and after 21<sup>st</sup> March 2016, Pilotage within the Port shall be compulsory and makes the following Pilotage Direction:

**The Area of Compulsory Pilotage** will be that area within which the powers of the Harbour Master may be exercised, and shall comprise the Harbour and the sea within a distance of one international nautical mile from the seaward limits of the Harbour (such area hereafter referred to as the Dover Pilotage Area).

**Pilotage Shall be Compulsory** for the following vessels navigating within the Port of Dover Pilotage Area:

- All vessels greater than 50m LOA or
- All vessels greater than 20m LOA that:
  - Are certified to carry more than 12 passengers or
  - Are carrying dangerous substances in bulk or
  - Are hampered in any way.

**Vessels Excepted from Compulsory Pilotage**, the following vessels, in the following areas are excepted from compulsory pilotage under the provisions of Pilotage Direction No. 6:

- UK Warships and vessels in the long term service of HM Customs & Excise, Border Force and Trinity House;
- Foreign Warships.
- Fishing vessels less than 47.5m length overall;

*Note: Vessels where the Master or watch keepers are not familiar with navigating in the Port of Dover Pilotage area are strongly recommended to employ the services of a Pilot.*

- Vessels operating within the Dover Western Docks Revival (DWDR) exclusion zone, as the Port of Dover may specify from time to time subject to the requirements of the Harbour Master. This exception will only apply for vessels operating wholly within the designated exclusion zone.

The DWDR exclusion zone is bounded by the Prince of Wales Pier to the West, the shoreline to the North and the following coordinates to the East: -

Position 'A'	51°07.215'N	001°18.795'E
Position 'B'	51°07.207'N	001°18.820'E
Position 'C'	51°07.215'N	001°18.945'E
Position 'D'	51°07.220'N	001°19.050'E
Position 'E'	51°07.185'N	001°19.370'E
Position 'F'	51°07.085'N	001°19.590'E
Position 'G'	51°06.840'N	001°19.380'E

**All Ships Subject to Compulsory Pilotage** (except where any ship is being navigated by a person holding a Pilotage Exemption Certificate valid for that ship and for the Dover Pilotage Area) shall take on board or land a Pilot before entering the Dover Pilotage Area or at the berth (as the case may be).

**This Direction may only be Varied** in the event of an emergency on board a ship subject to Compulsory Pilotage, which causes or is likely to cause loss of life, personal injury or serious environmental pollution and

the Master of that ship deems it necessary to bring the ship within the Dover Pilotage Area to prevent such loss or damage. In such a case if there are conditions which may render boarding a Pilot hazardous before entering the Dover Pilotage Area, ships may be required by the Harbour Master to embark Pilots in the Outer Harbour or such other location as may be specified by the Harbour Master.

**In this Pilotage Direction** the following words shall have the following meanings:

- "Dangerous Substances" shall mean those substances defined as such in Regulation 3 of the Dangerous Substances in Harbour Areas Regulations 2016.
- "In Bulk" shall mean any cargo which is loaded directly into the cargo spaces of a ship without any intermediate form of containment.
- "Harbour" shall mean Dover Harbour as defined in Section 4 of the Dover Harbour Consolidation Act 1954.

**This Direction revokes and replaces** Pilotage Direction No. 5, Issue 01 dated 1<sup>st</sup> October 2016, with effect from 21<sup>st</sup> March 2017.

### **Notes**

#### **A. Pilotage Exemption Certificates**

The requirements for Port of Dover pilotage exemption certificates, application and annual renewal forms may be obtained from Duty Port Manager, Dover Harbour Board, Harbour House, Dover, Kent, CT17 9BU.

#### **B. Voluntary Pilotage**

If required and subject to availability, voluntary pilotage services will be provided within the Dover Pilotage Area.

## **2. General Requirements for Pilotage Exemption Certificates**

### **2.1 Introduction**

The Pilotage Act 1987, as amended by the Marine Navigation Act 2013, lay down the requirements for granting, suspending and revoking pilotage exemption certificates, and nothing in these guidelines is to be understood as preventing the Board from fulfilling its statutory duties under those Acts. They are issued as guidance for the benefit of applicants for, and holders of Pilotage Exemption Certificates.

The Dover Harbour Board ("the Board") (a Competent Harbour Authority under the Pilotage Act 1987) has directed, in exercise of its powers under that Act, that in accordance with the Board's Pilotage Direction Number 6 ("the Direction"), Pilotage shall be compulsory other than for excepted ships.

On and after that date a ship which is being navigated in the compulsory area in the circumstances in which Pilotage is compulsory for it, must be under the Pilotage of:

- (a) An Authorised Pilot, or
- (b) A person who is a Certificated Deck Officer of the ship, holding an appropriate STCW'95 Command Level Certificate of Competency for the vessel type applied for, and possessing a Pilotage Exemption Certificate granted by the Board in respect of the compulsory area and the ship.

A Pilotage Exemption Certificate (a "PEC") for the Port of Dover will be granted by the Board in the circumstances described below.

## **2.2 Geographical Area**

PECs will be issued and examinations conducted for the compulsory area, which is that area within which the powers of the Harbour Master may be exercised and shall comprise Dover Harbour and the sea within a distance of one international nautical mile from the seaward limits of Dover Harbour ("the Dover Pilotage Area").

## **2.3 Eligibility for PEC Application**

**2.3.1** An Officer of a ship subject to compulsory Pilotage will only be granted a PEC after he/she has passed a practical assessment of ship handling competence and an examination for the Dover Pilotage Area (see paragraph 6 below).

**2.3.2** Before presenting himself/herself for examination an officer should have performed at least:

- 20 passages into and 20 passages out of Dover Harbour within the previous 12 months whilst having the conduct of the vessel and in the company of an authorised pilot.
- Of those passages, at least 4 inward and 4 outward passages must be performed during the hours of darkness.
- And, 4 inward and 4 outward passages must be undertaken via the entrance not commonly utilised for services by that vessel.
- A suitable number of passages within the full range of operational limitations as applicable by the in force General Directions. This should include, but not be limited to, passages and manoeuvres in heavy weather, utilising anchors and tugs, at the absolute discretion of the Harbour Master.

Where shipping companies operate an internal program to the satisfaction of the Harbour Master for the training of officers in pilotage and ship handling, qualifying trips may be undertaken in the company of an existing PEC holder. In this case, a minimum of 1 inward and 1 outward passage in addition to the 20 inward and 20 outward qualifying passages shall be undertaken with an Authorised Pilot to demonstrate and allow an assessment to be made of the candidate's ability to properly conduct the vessel, in any and all prevailing conditions within existing operational limitations for the Port.

Such internal training programs shall be considered and approved upon written application by a vessel operator to the Harbour Master. Any approvals will be subject to verification of internal training programs and on going assessments of exempted candidates ability and conduct. Such approvals may be withdrawn without prior notice.

These passage and tripping requirements, in addition to any future requirements surrounding minimum levels of STCW certification or qualifying rank or status of the PEC holder serving on board the exempted vessel, may be varied as necessary by the Harbour Master in his absolute discretion dependent on a vessels particular operating circumstances within the Port.

**2.3.3** The Officer should provide confirmation of a visit to 'Dover Port Control' to gain a basic understanding of Dover Vessel Traffic Services (VTS).

**2.3.4** The Officer should undertake a familiarisation trip on a Dover Harbour Board tug with a minimum of one actual towing operation observed.

**2.3.5** A PEC applicant may request his/her certificate to be valid for more than one vessel. However, where the other vessels involved differ in size or manoeuvring characteristics from that named in the original application, the Board may require the applicant to demonstrate proficiency in those different vessels, before approving the addition of such vessels to his/her certificate. In such cases, a PEC holder shall submit a written application to the Harbour Master for consideration. Where a company has an approved internal training program for

moving between vessels then the additional vessels from that company may at the discretion of the Harbour Master be automatically added to the PEC holder's certificate.

### **3. General**

- 3.1** Section 8 of the Pilotage Act 1987, (as amended by the Marine Navigation Act 2013) lays down the requirements for granting, suspending and revoking PECs. The Dover Harbour Board 'Pilotage Enforcement Policy' sets out the measures by which the Board intend to comply with their duties under the prescribed Acts, and in accordance with the principles of the Port Marine Safety Code.
- 3.2** A PEC holder will be expected to keep him/herself updated on any changes affecting navigation in the Dover Pilotage Area, including changes to local by-laws, regulations, general directions, and local notices to mariners etc. No PEC will remain in force for more than one year from the date on which it was granted, but PEC's will be renewed annually without examination provided that the Board is satisfied as to the holder's competence and continued experience in the Dover Pilotage Area and the conditions for renewal of the PEC in section (7) of these General Requirements are fully met.
- 3.3** Every 5 years a PEC holder will be required to undertake a formal assessment to satisfy the Board as to his/her continuing competence. Applications for a PEC revalidation will be accepted +/- 3 months from the 5 year expiry date. PEC's which are not revalidated will not be renewed and candidates will be required to complete a new application, meeting the original eligibility requirements as set out in Section 2.
- 3.4** The Board may from time to time amend all or part of these requirements and/or fees.

### **4. Fees**

The fees appertaining to the issue of PECs and renewal are published annually in the Port of Dover Tariff Book.

### **5. Application for a PEC**

A form of application for a PEC may be obtained from Duty Port Manager, Dover Harbour Board, Harbour House, Dover, Kent, CT17 9BU. Every application should be made, using the appropriate application form, fully completed with the information required, and be signed by the officer applying for the PEC. The application should be countersigned by or on behalf of his /her employer or the owner or manager of the ship(s) by way of declaration as to the accuracy of the application and as to the status of the candidate and his/her competency to safely conduct the vessel(s) to which the application relates. Applications will not be accepted unless these conditions are met.

The information required will include:

- a) Name, nationality and address of applicant.
- b) Photocopied evidence of an appropriate STCW'95 command level certificate of competency for the vessel type applied for, and valid medical certification, should be attached to page 3 of the application.
- c) Name and address of employer or owner's local agent in the United Kingdom.
- d) Name of each ship, type, length overall and maximum draught specified in the PEC.
- e) The number of passages conducting the vessel in the Dover Pilotage Area made during the previous 12 months.
- f) Confirmation that the applicant is familiar with all current local regulations, harbour bye-laws, general directions, local notices to mariners, port procedures and emergency arrangements and (where relevant) the Dangerous Substances in Harbour Areas Regulations 2016 and the Dover Harbour Revision Order 2006 as this relates to "Dangerous Goods".
- g) Confirmation that the applicant has a satisfactory working knowledge of English.

## **6. Examination for a PEC**

The examination procedure includes a practical assessment trip aboard the vessel for which the application is being made, in addition to an oral examination conducted ashore by the Board's Marine Operation Division. One of the examiners will be a Class 1 pilot. It may also include a written examination.

### **6.1 Scope of examination**

A candidate for examination must be thoroughly acquainted with the following subjects in addition to the Port of Dover General Directions.

#### **6.1.1 General Navigation**

The application to Pilotage of:

- a) The International Regulations for Preventing Collisions at Sea.
- b) IALA marine buoyage system A - General Principles and Rules.
- c) By-laws, regulations and Pilotage Directions for navigating within the Dover Pilotage Area.
- d) Communication procedures.
- e) Relevant Local Notices to Mariners.
- f) Port operational procedures.

#### **6.1.2 Experience and Local Knowledge**

A candidate's experience will be determined by his/her ability to demonstrate detailed local knowledge with particular reference to:

- a) Harbour features.
- b) General direction of tidal streams.
- c) Traffic movement and patterns including Traffic Separation Schemes.
- d) Port and Pilotage limits.
- e) Name or number of piers and berths.
- f) A knowledge of berthing/unberthing manoeuvres and limitations.
- g) A practical assessment by demonstration of ship handling ability in the prevailing conditions.
- h) Distances and bearings between navigational marks, piers, berths and navigational dangers.

#### **6.1.3 Navigation in the Area**

A detailed knowledge will be required of:-

- a) The names and characteristics of fog signals, buoys and lights, including their range and arcs of visibility.
- b) The depths of water available in the Dover Pilotage Area.
- c) The set, rate, rise and duration of the tides and the use of tide tables.
- d) Restricted areas.
- e) Ship handling characteristics of own vessel, squat and interaction with other vessels.
- f) Limitations and restriction of other vessels requiring special consideration.
- g) Operation with tugs; including availability, communications and precautions.
- h) Port emergency plans and procedures.
- i) Dangerous substances in Harbour Areas Regulations 2016 (so far as the regulations affect the navigation of other vessels) and the Dover Harbour Revision Order 2006 (so far as it relates to "Dangerous Goods").
- j) Dover Harbour Board diving regulations.



A candidate may be questioned on any other information appearing to the examiners to be relevant.

## **6.2 Conduct of Examination**

- 6.2.1** The depth of questioning on a particular subject will, inter alia, depend upon the type and size of the ship(s) which are to be included on the PEC.
- 6.2.2** The Board reserves the right to conduct the examination at a date, time and place determined by the Board.

## **7. Condition for Renewal of PEC**

- 7.1** A PEC will be renewable annually, subject to the conditions in paragraph (3.2) of these general requirements and application should be made at least one month in advance of expiry date.
- 7.2** A renewal application form will be obtainable from the Duty Port Manager and should give the information required by it, signed by the officer applying, and counter signed either by his/her employer, the owner or manager of the ship(s). The information required will include:
  - a. The number of acts of Pilotage whilst having the conduct of the vessel carried out by the applicant for renewal in the Dover Pilotage Area in the previous 12 months. Under normal circumstances an officer should have completed at least 12 passages into and 12 passages out of the Port of Dover during the previous 12 months to qualify for renewal. Of these, at least 3 passages into and 3 passages out of the Port of Dover must have been carried out within the 3 months prior to renewal.
  - b. Confirmation of STCW'95 continuing validity.
  - c. Confirmation of valid medical certification.
  - d. Confirmation by the applicant and his/her employer, or manager of the ship(s), of the officer's knowledge of any relevant changes affecting navigation in the Dover Pilotage Area, including changes to local by-laws, regulations, local notices to mariners, and continuing standard of competence in ship handling.

### **7.3 PEC Annual Renewals – Scheduled Operators**

PEC Holders employed by scheduled operators may have their certificates renewed annually by a 'block' renewal arrangement acceptable to Dover Harbour Board. Operating company's fleet management should submit the list of PEC holders for renewal together with a signed confirmation as contained in section (15) of the renewal application form confirming the continuing competence and valid certification of all applicants, in addition to a statement confirming that all candidates have completed the requisite number of acts specified in Section 7.2(a).

### **8.0 Addition of New Vessels to an Existing PEC**

Application for the addition of new vessels to an existing PEC should be made in accordance with section 2.3.5 of this Pilotage Direction using the 'Application Form – Pilotage Exemption Certificate' (sections 13 and 14 on the form need not be completed).

Before approving the addition of such vessels to his/her certificate where the new vessel(s) involved differ in size or manoeuvring characteristics from that named in the original PEC, the Board may require the applicant to demonstrate proficiency in handling these vessels by completing at least 12 passages into and 12 passages out of the Port of Dover under the guidance of an existing PEC holder on the new vessel. The final trip will be a pilot accompanied practical assessment. Where a company has an approved internal training program for

moving between vessels then the additional vessels from that company may at the discretion of the Board be automatically added to the PEC holder's certificate.

## **9.0 Duties of a PEC Holder**

### **9.1 Pilotage Incident Reports**

Pilotage incident reports are an important part of marine incident investigations and as such it is imperative that they provide sufficient detail of the incident to positively assist in any objective assessment of incidents. Openness and transparency is welcome and is in the interests of all marine port users. For example, details such as accurate times, engine, rudder and thruster configurations, any applicable damage or defects, bridge manning at the time, and any further relevant comments that will go to providing a full composite picture of the incident for impartial and objective examination. Pilotage incident reports that in the opinion of the Harbour Master do not meet these criteria, will be rejected and a revised Pilotage incident report requested.

In the event of any incident involving collision, fire, grounding, or heavy contact with any pier, breakwater or port structure, or in the event of any near miss with another vessel or structure within the port limits of Dover Harbour, or when requested by the Duty Port Manager or Dover Port Control, a Pilotage incident report form shall be completed.

Such Pilotage incident reports shall be submitted to the Duty Port Manager within 24 hours. Failure to do so may result in suspension of the Pilotage Exemption Certificate.

Pilotage incident reports shall also include initial recommendations on actions taken to prevent reoccurrence of similar incidents in the future.

PEC holders are required to attend any investigation or enquiries held by Dover Harbour Board or provide any follow up information as requested by the Harbour Master in accordance with the published PEC enforcement policy.

### **9.2 Duty to Report**

Any PEC holder who observes any alteration to depths, seamarks, or navigational aids shall report the fact to 'Dover Port Control'.

### **9.3 Duty to Observe Directions**

'Dover Port Control' operate a Traffic Organisation Service, the highest level of Vessel Traffic Service. Instructions from VTS carry the power of Harbour Masters special directions. As such, it is imperative that PEC holders comply fully and expeditiously with all verbal instructions; so far as possible that does not interfere with the safety of vessels under their conduct.

**By Order of the Harbour Master**